

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Myles S. Douglas	)
App. No.	:	10/820,455	)
Filed	:	April 8, 2004	)
For	:	ENDOLUMINAL VASCULAR PROSTHESIS WITH NEINTIMA INHIBITING POLYMERIC SLEEVE	)
Examiner	:	Unknown	)

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer

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P.8

App. No. : 10/820,455  
Filed : April 8, 2004

No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

ENDOLOGIX, INC.

Dated: 9/22/2004By: Stefan Schreck

Title: Vice President of R&amp;D

Address: 13900 Alton Parkway, Suite 122,  
Irvine, CA 92618H:\DOCS\WIKI\WIK-1970.DOC  
081704



## ASSIGNMENT

WHEREAS, We, Myles S. Douglas, a US citizen, residing at 605 Skyhawk Ranch RD., Gardnerville, NV 89460, Frank M. Zeng, a US citizen, residing at 24 Lakeshore, Irvine, CA 92614, and Brian C. Gray, a US citizen residing at 1025 N. Tustin Ave, Apt. 104, Orange, CA 92867, have invented certain new and useful improvements in an ENDOLUMENAL VASCULAR PROSTHESIS WITH NEOINTIMA INHIBITING POLYMERIC SLEEVE for which we have filed an application for Letters Patent in the United States, Application No. 10/820,455, Filed on April 8, 2004;

AND WHEREAS, Endologix, Inc. (hereinafter "ASSIGNEE"), a Corporation, with its principal place of business at 13900 Alton Parkway, Suite 122, Irvine, CA 92618, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

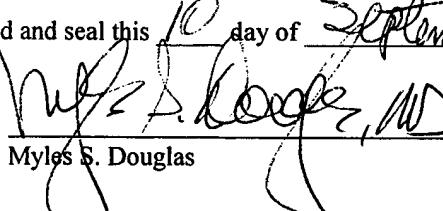
NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

# COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10 day of September, 2004

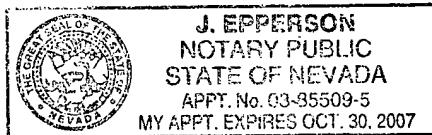
  
Myles S. Douglas

STATE OF Nevada }  
{} ss.  
COUNTY OF Douglas }

On Sept 10, 2004, before me, Jennifer Epperson, personally appeared Myles S. Douglas personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

  
Frank M. Zeng

STATE OF }  
{} ss.  
COUNTY OF }

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Frank M. Zeng personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

  
Notary Signature

# COPY

Application No.: 10/820,455  
Filing Date: April 8, 2004

PATENT  
Client Code: ENDOLOG.054A  
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Brian C. Gray

STATE OF \_\_\_\_\_  
} ss.  
COUNTY OF \_\_\_\_\_

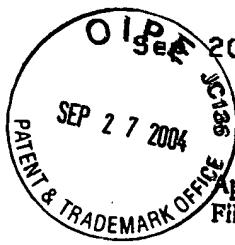
On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Frank M. Zeng personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

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081704



Application No.: 10/820,455  
Filing Date: April 8, 2004

# COPY

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**PATENT**  
Client Code: ENDOLOG.054A  
Page 1

## ASSIGNMENT

WHEREAS, We, Myles S. Douglas, a US citizen, residing at 605 Skyhawk Ranch RD., Gardnerville, NV 89460, Frank M. Zeng, a US citizen, residing at 24 Lakeshore, Irvine, CA 92614, and Brian C. Gray, a US citizen residing at 1025 N. Tustin Ave, Apt. 104, Orange, CA 92867, have invented certain new and useful improvements in an **ENDOLUMENAL VASCULAR PROSTHESIS WITH NEointima INHIBITING POLYMERIC SLEEVE** for which we have filed an application for Letters Patent in the United States, Application No. 10/820,455, Filed on April 8, 2004;

AND WHEREAS, Endologix Inc. (hereinafter "ASSIGNEE"), a Corporation, with its principal place of business at 13900 Alton Parkway, Suite 122, Irvine, CA 92618, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

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Application No.: 10/820,455  
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 Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Myles S. Douglas

STATE OF \_\_\_\_\_  
 }  
 COUNTY OF \_\_\_\_\_  
 } ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Myles S. Douglas personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.  
 [SEAL]

Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of Sept, 2004

Frank M. Zeng

STATE OF New York }  
 COUNTY OF New York } ss.

On Sept 21 2004, before me, Marilyn Vaughn, personally appeared Frank M. Zeng personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.  
 [SEAL]

Notary Signature

MARILYN VAUGHN  
 Notary Public, State Of New York  
 No. 01VA5052781  
 Qualified In Nassau County  
 Commission Expires Dec. 4, 2005

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COPY

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Page 3

IN TESTIMONY WHEREOF, I hercunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Brian C. Gray

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ } ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Frank M. Zeng personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

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081704

# COPY

Application No.: 10/820,455  
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PATENT

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Page 1

## ASSIGNMENT

WHEREAS, We, Myles S. Douglas, a US citizen, residing at 605 Skyhawk Ranch RD., Gardnerville, NV 89460, Frank M. Zeng, a US citizen, residing at 24 Lakeshore, Irvine, CA 92614, and Brian C. Gray, a US citizen residing at 1025 N. Tustin Ave, Apt. 104, Orange, CA 92867, have invented certain new and useful improvements in an ENDOLUMENAL VASCULAR PROSTHESIS WITH NEOINTIMA INHIBITING POLYMERIC SLEEVE for which we have filed an application for Letters Patent in the United States, Application No. 10/820,455, Filed on April 8, 2004;

AND WHEREAS, Endologix Inc. (hereinafter "ASSIGNEE"), a Corporation, with its principal place of business at 13900 Alton Parkway, Suite 122, Irvine, CA 92618, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

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AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Myles S. Douglas

STATE OF }  
 } SS.  
COUNTY OF }

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Myles S. Douglas personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

---

**Notary Signature**

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this . 20 day of

Frank M. Zeng

STATE OF }  
 } SS.  
COUNTY OF }

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Frank M. Zeng personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

**WITNESS my hand and official seal.**

[SEAL]

---

**Notary Signature**

# COPY

Application No.: 10/820,455  
Filing Date: April 8, 2004

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Client Code: ENDOLOG.054A

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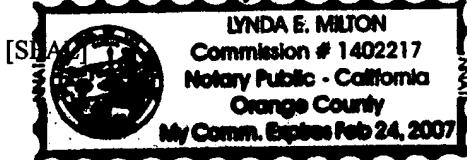
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19<sup>th</sup> day of AUGUST, 2004.

Brian C. Gray

STATE OF }  
 } ss.  
COUNTY OF }

On August 19 2004, before me, LYNDA E. MILTON, personally appeared Frank M. Zeng personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Lynda E. Milton  
Notary Signature